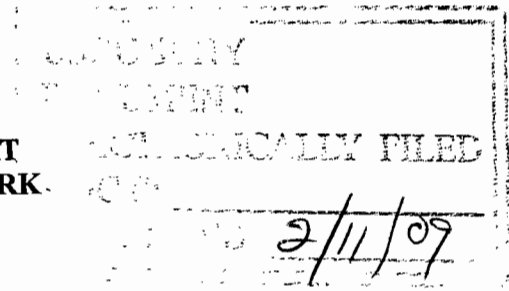


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



**In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

**Master File No. 1:00 – 1898
MDL 1358 (SAS)
M21-88**

This document relates to:

**ORDER OF DISMISSAL
WITH PREJUDICE**

Tonneson, et al. v. Sunoco, Inc., et al., 03 Civ. 8248

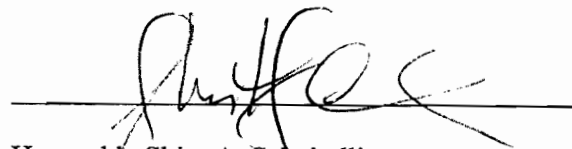
All Plaintiffs in the above-captioned case and Defendants Sunoco, Inc. and Sunoco, Inc. (R&M) (formerly known, and improperly named in the Complaint, as Sun Company, Inc. (R&M) and Sunoco, (R&M) (collectively referred to as "Sunoco") have advised the Court that they have resolved the matters between them pursuant to a Settlement Agreement, and the parties have stipulated to the entry of this agreed-upon dismissal of all claims pending against Sunoco with prejudice, except those expressly excluded in the Settlement Agreement. The Court finds that this Order of Dismissal with prejudice should be entered.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. The Plaintiffs and Sunoco have advised the Court that they have resolved the matters between them pursuant to a Settlement Agreement and a Release.
2. Pursuant to the Settlement Agreement, the settling parties consent to the dismissal with prejudice of Sunoco from this action.
3. No other parties have objected to the dismissal of the above entitled action with prejudice as to Sunoco only.

4. Therefore, this action, including all claims, counterclaims, and cross-claims of any kind.
is hereby dismissed with prejudice as to Sunoco.

ENTERED this 10 day of Feb, 2009:

A handwritten signature in black ink, appearing to read 'Shira A. Scheindlin', is written over a horizontal line.

Honorable Shira A. Scheindlin